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Attorneys for Alison McLeod

8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 ALISON MCLEOD,  
KEVIN FORREST, and  
14 DEBRA MCLEOD

15 Defendants.

CASE NO. 2:11-cr-00421-KJD-(PAL)

**STIPULATION AND ORDER TO  
CONTINUE FRANKS HEARING,  
CALENDAR CALL AND TRIAL**

16 **IT IS HEREBY STIPULATED AND AGREED** by and between Daniel G. Bogden,  
17 United States Attorney, and Mace J. Yampolsky, Esq. attorney for Defendant, Alison McLeod  
18 that the Calendar Call and Franks Hearing, and Trial in the above-captioned matter, currently  
19 scheduled for April 16, 2013, at the hour(s) of 9:00 a.m. and 2:00 p.m., respectively, and April  
20 22, 2013 at the hour of 9:00 a.m., be continued for a period of at least thirty days, or a date to be  
21 determined by the convenience of the Court.

22 This Stipulation is entered into for the following reasons:

- 23 1. Magistrate Judge Leen granted a Franks Hearing in this case and has scheduled  
24 that hearing for April 16, 2013 at 2:00 p.m.;
- 25 2. Counsel for both the Defendants and the Government need to continue the Franks  
26 hearing until April 30, 2013, due to the inability to coordinate Expert Witnesses availability for  
27 all parties by April 16, 2013;
- 28 3. Defendants are not currently incarcerated and do not object to the continuance;

1  
2 4. This continuance is not sought for purposes of delay, but instead to allow for the  
3 availability of counsel to prepare properly various expert witnesses. Neither counsel for the  
4 Government or the Defendant(s) anticipates filing any additional stipulation(s) in this case;

5 5. Trial in this matter is currently set for April 22, 2013. Should this Stipulation be  
6 granted by the Court, counsel for all parties would require additional time to prepare adequately  
7 depending upon the ruling of the Court at the Franks Hearing;

8  
9 6. Denial of this request could result in a miscarriage of justice and the ends of  
10 justice served by granting this request outweigh the best interest of the public and the defendant  
11 in a speedy trial. The additional time requested by this stipulation is excludable in computing the  
12 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,  
13 United States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18, United  
14 States Code, Section 3161(h)(7)(B)(i) and (iv);

15 7. This Stipulation to Continue is made in good faith and with good cause, and not  
16 for the purposes of delay.

17 **DATED** this 12<sup>th</sup> day of April, 2013.

18 DANIEL G. BOGDEN  
19 UNITED STATES ATTORNEY

20 By: /s/ DANIEL BOGDEN  
21 DANIEL BOGDEN  
United States Attorney

By: /s/ MACE J. YAMPOLSKY  
MACE J. YAMPOLSKY  
Attorney for Defendant  
ALISON MCLEOD

22 By: /s/ MICHAEL GRAHN  
23 MICHAEL GRAHN  
Attorney for Defendant  
24 DEBRA MCLEOD

By: /s/ PAUL RIDDLE  
PAUL RIDDLE  
Attorney for Defendant  
KEVIN FORREST

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**STIPULATION AND ORDER TO  
CONTINUE CALENDAR CALL AND  
TRIAL**

16  
17 Based upon the pending Stipulation of counsel, and good cause appearing therefore, the  
18 Court hereby finds that:

- 19 1. Magistrate Judge Leen granted a Franks Hearing in this case and has scheduled  
20 that hearing for April 16, 2013 at 2:00 p.m.;
- 21 2. Counsel for both the Defendants and the Government need to continue the Franks  
22 hearing until April 30, 2013, due to the inability to coordinate Expert Witnesses availability for  
23 all parties by April 16, 2013;
- 24 3. Defendants are not currently incarcerated and do not object to the continuance;
- 25 4. This continuance is not sought for purposes of delay, but instead to allow for the  
26 availability of counsel to prepare properly various expert witnesses. Neither counsel for the  
27 Government or the Defendant(s) anticipates filing any additional stipulation(s) in this case;
- 28

